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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Tam M. Nguyen
Group Art Unit : 1764
Applicant : Yumin Liu
Application No. : 09/815,914 Confirmation No.: 7459
Filed : March 22, 2001
For : PROCESSES FOR OXIDATIVE DEHYDROGENATION

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

SYMYX TECHNOLOGIES, INC., a corporation organized and existing under the laws of the State of Delaware, and having a place of business at 3100 Central Expressway, Santa Clara, California 95051 ("SYMYX TECHNOLOGIES, INC."), represents that it is the assignee of record of the entire right, title and interest, by assignment, of the following:

United States Patent Application No. 09/815,914 ("the '914 application"), for "PROCESSES FOR OXIDATIVE DEHYDROGENATION," filed on March 22, 2001, which is a continuation of United States Patent Application No. 09/255,371, filed on February 22, 1999 and issued as United States Patent No. 6,355,854 on March 12, 2002 ("the '854 patent"), the assignment for which was recorded on February 22, 1999 at reel/frame 9786/885; and

United States Patent No. 6,417,422 ("the '422 patent"), for "Ni CATALYSTS AND METHODS FOR ALKANE DEHYDROGENATION," filed on as Application No.

09/510,458 on February 22, 2000, the assignment for which was recorded on February 22, 2000 at reel/frame 10637/307 and which is a continuation-in-part of United States Patent Application No. 09/255,371 and United States Patent Application No. 09/255,384.

The assignment of the '854 patent is effective for the '914 application as a continuation.

The undersigned, on behalf of SYMYX TECHNOLOGIES, INC., hereby disclaims the terminal portion of any patent granted on the '914 application which would extend beyond the expiration date of the '854 patent or the '422 patent.

The undersigned, on behalf of SYMYX TECHNOLOGIES, INC. agrees that any patent so granted on the '914 application shall be enforceable only for and during such period that said patent is commonly owned with the '854 patent and the '422 patent and that this terminal disclaimer is binding upon the grantee of said patent and its successors and assigns.

The undersigned does not disclaim any terminal portion of any patent granted on the '914 application prior to the full statutory term of the '854 patent or '422 patent in the event that the '854 patent or the '422 patent, (a) expires for failure to pay a maintenance fee, (b) is held unenforceable, (c) is found invalid by a court of competent jurisdiction, (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), (e) has all claims canceled by a reexamination certificate, or (f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

The undersigned hereby states and certifies that:

1. The undersigned is an attorney of record in the above-identified patent application and is authorized to act on behalf of assignee corporation in connection with said application; and

2. The above-identified assignment documents have been reviewed and, to the best of the undersigned's knowledge and belief, title to the '914 application, the '854 patent, and the '422 patent, in assignee.

Dated: 10/1/03

By: Denise Bergin

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